



11 AUG 2006

DEMONT & BREYER, LLC  
SUITE 250  
100 COMMONS WAY  
HOLMDEL NJ 07733

In re Application of:	:	
HOUSTON, John, Graeme, et al.	:	
Application No.: 10/535,600	:	DECISION
PCT No.: PCT/GB2003/004917	:	
Int. Filing Date: 13 November 2003	:	
Priority Date: 23 November 2002	:	
Attorney Docket No.: 9931-008US	:	
For: HELICAL FORMATION FOR A	:	
CONDUIT	:	

This communication is issued in response to the "Request For Correction Of Notice Of Acceptance Of Application In Accordance With 37 CFR 1.181" filed 20 March 2006, treated herein as a petition under 37 CFR 1.181. No petition fee is required.

### **BACKGROUND**

On 13 November 2003, applicant filed international application PCT/GB2003/004917. The international application claimed a priority date of 23 November 2002, and it designated the United States. On 10 June 2004, the International Bureau (IB) communicated a copy of the international application to the United States Patent And Trademark Office (USPTO). The deadline for payment of the basic national fee was thirty months from the priority date, i.e., 23 May 2005.

On 19 May 2005, applicants filed a transmittal letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee and a copy of the international application (specification, claims, drawings, and abstract).

On 26 September 2005, the United States Designated/Elected Office (DO/EO/US) mailed a Notification Of Missing Requirements (Form PCT/DO/EO/905) requiring submission of an oath or declaration in compliance with 37 CFR 1.497 and the surcharge for filing the oath or declaration later than thirty months after the priority date.

On 03 October 2005, applicant filed a response to the Notification Of Missing Requirements consisting of an executed declaration in compliance with 37 CFR 1.497 and the required surcharge payment.

On 07 March 2006, the DO/EO/US mailed a Notification Of Acceptance (Form PCT/DO/EO/903) that identified 03 October 2005 as the "Date Of Completion Of All 35 U.S.C. 371(c) Requirements" and the "Date Of Receipt Of 35 U.S.C. 371(c)(1), (c)(2), And (c)(4) Requirements." However, the Notification Of Acceptance also identified the receipt date for the specification, claims, drawings and abstract filed 19 May 2005 as 03 October 2005.

On 20 March 2006, applicants filed the "Request For Correction Of Notice Of Acceptance Of Application In Accordance With 37 CFR 1.181" considered herein as a petition under 37 CFR 1.181. The petition requests that a corrected Notification Of Acceptance which properly identifies the receipt date of the specification, claims, drawings, and abstract as 19 May 2005.

### DISCUSSION

A review of the application file and the return postcard included with the present petition confirms that a copy specification, claims, drawings and abstract were filed by applicants on 19 May 2005 with the materials initiating this national stage application. Accordingly, the 03 October 2005 receipt date listed for these items on the Notification Of Acceptance mailed 07 March 2006 is incorrect. As indicated by applicants in the present submission, the filing dates for these items should be listed as 19 May 2005.

### CONCLUSION

The petition under 37 CFR 1.181 is **GRANTED**.

The Notification Of Acceptance (Form PCT/DO/EO/903) mailed 07 March 2006 is hereby **VACATED**.

This application is being referred to the National Stage Processing Branch of the Office Of PCT Operations for further processing in accordance with this decision, including the mailing of a corrected Notification Of Acceptance (Form PCT/DO/EO/903) in which the filing date indicated for the specification, claims, drawings, and abstract is properly listed as 19 May 2005.



Richard M. Ross  
Attorney Advisor  
Office of PCT Legal Administration  
Telephone: (571) 272-3296  
Facsimile: (571) 273-0459